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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

SIZMEK INC., *et al.*,<sup>1</sup>

Debtors.

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)  
) Chapter 11  
)  
) Case No. 19-10971 (SMB)  
)  
) (Jointly Administered)  
)

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**AGENDA FOR HEARING TO BE HELD  
OCTOBER 17, 2019 AT 10:00 A.M. (PREVAILING EASTERN TIME)**

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Time and Date of Hearing: October 17, 2019 at 10:00 a.m. (ET)

Location of Hearing: U.S. Bankruptcy Court  
Courtroom 723  
One Bowling Green  
New York, NY 10004

Copies of Motions and Applications

Copies of each pleading identified below can be viewed and/or obtained (i) from the Debtors' proposed claims and noticing agent, Stretto, at <https://cases.stretto.com/sizmek> or (ii) by accessing the Court's website at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov).

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Sizmek Inc. (4624); Point Roll, Inc. (3173); Sizmek DSP, Inc. (2319); Sizmek Technologies, Inc. (6402); Wireless Artist LLC (0302); Wireless Developer, Inc. (9686); X Plus One Solutions, Inc. and (8106); X Plus Two Solutions, LLC (4914). The location of the Debtors' service address for purposes of these chapter 11 cases is: 401 Park Avenue South, 5th Floor, New York, NY 10016.

**A. Uncontested Matters.**

- 1. Katten Fee Application.** First Interim Fee Application of Katten Muchin Rosenman LLP, as Counsel for Debtors, for the Period from March 31, 2019 through and Including July 31, 2019 [Docket No. 440].

Objection Deadline: October 10, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Status: This matter is going forward.

- 2. FTI Fee Application.** First Interim Application of FTI Capital Advisors, LLC, as Financial Advisor and Investment Banker for the Debtors for Compensation and Reimbursement of Expenses Incurred for the First Interim Period of March 29, 2019 through July 31, 2019 [Docket No. 441].

Objection Deadline: October 10, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Status: This matter is going forward.

- 3. Cooley Fee Application.** First Interim Application of Cooley LLP, Counsel to the Official Committee of Unsecured Creditors of Sizmek Inc., et al., for Compensation and Reimbursement of Expenses for the Interim Period of April 17, 2019 through July 31, 2019 [Docket No. 435].

Objection Deadline: October 10, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Status: This matter is going forward.

- 4. Province Fee Application.** First Interim Application of Province, Inc., Financial Advisor to the Official Committee of Unsecured Creditors of Sizmek Inc., et al., for Compensation and Reimbursement of Expenses for the Interim Period of April 17, 2019 through July 31, 2019 [Docket No. 436].

Objection Deadline: October 10, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Status: This matter is going forward.

- 5. Omnibus Claims Objections Procedures Motion.** Debtors' Motion for Entry of an Order (I) Approving (A) Omnibus Claims Objection Procedures and (B) Omnibus Claims Satisfaction Procedures, and (II) Authorizing Debtors to File Substantive Omnibus Objections to Claims Pursuant to Bankruptcy Rule 3007(c) and (d) [Docket No. 464].

Objection Deadline: October 10, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Related Documents:

- a. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order (I) Approving (A) Omnibus Claims Objection Procedures and (B) Omnibus Claims Satisfaction Procedures, and (II) Authorizing Debtors to File Substantive Omnibus Objections to Claims Pursuant to Bankruptcy Rule 3007(c) and (d) [Docket No. 475].

Status: Debtors filed a Certificate of No Objection [Docket No. 475] and respectfully request that the Court enter the proposed order attached thereto. No hearing is required unless the Court has questions or concerns.

- 6. Cash Collateral Motion.** Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 14].

Objection Deadline: October 4, 2019 at 4:00 p.m. (ET).

Responses Received:

- a. Limited Objection of the Official Committee of Unsecured Creditors to Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 193].

Related Documents:

- b. Declaration of Sascha Wittler, Chief Financial Officer of Sizmek Inc., (I) in Support of Chapter 11 Petitions and (II) Pursuant to Local Rule 1007-2 [Docket No. 13].
- c. Supplemental Declaration of Sascha Wittler, Chief Financial Officer of Sizmek Inc., (I) in Support of Chapter 11 Petitions and (II) Pursuant to Local Rule 1007-2 [Docket No. 54].
- d. Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001 [Docket No. 37].
- e. Second Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to

Bankruptcy Rule 4001(b) [Docket No. 104].

- f. Notice of Hearing [Docket No. 107].
- g. Certificate of No Objection Regarding Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 167].
- h. Third Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 172].
- i. Notice of Filing of Proposed Final Cash Collateral Order [Docket No. 200].
- j. Fourth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 239].
- k. Fifth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 270].
- l. Certificate of No Objection Regarding Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 319].
- m. Sixth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 329].
- n. Seventh Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 383].
- o. Eighth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 388].

- p. Notice of Hearing on Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 392].
- q. Ninth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 403].
- r. Tenth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 449].
- s. Eleventh Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 467].

Status: The parties have agreed to continue the final hearing for three weeks until on or around November 7, 2019 at 10:00 a.m. Debtors intend to go forward seeking further interim relief and submit a consensual order at or following the October 17, 2019 hearing.

**B. Continued Matters.**

7. **Bryemere Motion to Compel.** Bryemere Holding, LLC's Motion to Compel Assumption or Rejection of Lease Agreement between Bryemere and Sizmek and to Compel Payment of Post Petition Rent [Docket No. 375].

Objection Deadline: September 12, 2019 at 4:00 p.m. (ET).

Responses Received:

- a. Debtors' Opposition to Bryemere Holding, LLC's Motion to Compel Assumption or Rejection of Lease Agreement Between Bryemere and Sizmek and to Compel Payment of Post Petition Rent [Docket No. 433].

Related Documents:

- b. Supplemental Motion in Support of Bryemere Holding, LLC's Motion to Compel Assumption or Rejection of Lease Agreement Between Bryemere and Sizmek and for the Immediate Payment of Post-Petition Rent [Docket No. 416].

Status: Pursuant to the Memorandum Endorsed Order [Docket No. 474], the parties have agreed, with the Court's approval, to adjourn this matter until the hearing set for November 14, 2019 at 10:00 a.m.

**C. Resolved Matters.**

**8. Objection to Claims Filed by GCA Advisors, LLC.** Debtors' Objection to Proofs of Claim Filed by GCA Advisors, LLC [Docket No. 438].

Objection Deadline: October 10, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Related Documents: None

Status: Debtors plan to submit a Stipulation and proposed order consensually resolving the Objection to Claims Filed by GCA Advisors, LLC in advance of the hearing. Debtors do not anticipate that a hearing will be necessary on this matter.

Dated: October 15, 2019  
New York, NY

*/s/ Steven J. Reisman*

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